

# RISK MANAGEMENT BULLETIN

## ISSUE: Protecting the Privacy of Driver's Licenses

*Driver's licenses are commonly used these days for many reasons, everything from cashing a check to showing proof of age. We suspect that entities that we insure use driver's licenses as a form of identification for employee records, for checking motor vehicle records, and for other reasons.*

**Do not overlook the fact that driver's licenses contain personal information.** Personal information is information that identifies an individual, including name, address, license number, social security number, photograph or digital image.

There are federal and state laws and rules to protect the privacy of citizens as it relates to such personal information. Among them are the:

- Federal Driver's Privacy Protection Act of 1994 -Title 18 U.S.C. Chapter 123, §2721
- Maine Motor Vehicle Statutes - Title 29-A M.R.S.A. Chapter 3, §256

**Familiarize yourself with these laws and comply with them.**

**Did you know?**

**It is illegal to reproduce a person's driver's license**

Without the written consent of the Secretary of State  
(Title 29-A M.R.S.A. Chapter 3, §2103, 4).

***Does your agency make copies of driver's licenses?***

If so, we urge you to consider if it is necessary and, if so, to seek  
specific written consent to do so from the  
Office of the Secretary of State.

Learn more at these websites:

<http://janus.state.me.us/legis/statutes/29-a/title29-asec2103.html>  
<http://www.state.me.us/sos/bmv/privacy.htm>  
<ftp://ftp.state.me.us/pub/sos/cec/rcn/apa/29/250/250c010.doc>  
<http://www.mainelegislature.org/legis/bills/LD.asp?LD=1802>

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